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INDIGENOUS ISSUES

Implementation of the programme of activities for the International Decade of the World's Indigenous People

Report of the High Commissioner for Human Rights

Introduction

1. Following a recommendation by the World Conference on Human Rights, the General Assembly, in its resolution 48/163 of 21 December 1993, proclaimed the International Decade of the World's Indigenous People (1995-2004). The goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, culture, the environment, development, education and health. The theme of the Decade is "Indigenous people: partnership in action".

2. In its resolution 50/157, the General Assembly adopted the programme of activities for the Decade. One of the main objectives of the Decade is the adoption of the draft United Nations declaration on the rights of indigenous peoples and the further development of international standards as well as national legislation for the protection and promotion of the human rights of indigenous people. Another major objective of the Decade is to further the implementation of the recommendations pertaining to indigenous people of all high-level international conferences, including the World Conference on Human Rights, in particular its recommendation that consideration be given to the establishment of a permanent forum for indigenous people in the United Nations system. The Assembly also recommended that the objectives of the Decade should be assessed by quantifiable outcomes that would improve the lives of indigenous people and that could be evaluated halfway through the Decade (1999) and at its end (2004).

3. In its resolution 52/108, the General Assembly decided to appoint the High Commissioner for Human Rights as Coordinator for the Decade. The High Commissioner was requested to submit, through the Secretary-General, an annual report to the General Assembly on the implementation of the programme of activities for the Decade. The High Commissioner, through the Secretary-General, submitted the latest annual report on the implementation of the programme of activities to the General Assembly at its fifty-fourth session. That report is contained in document A/54/487 and Add.1.

4. In its resolution 1999/51, the Commission on Human Rights requested the High Commissioner, in her capacity as Coordinator for the Decade, to submit an updated annual report reviewing activities within the United Nations system under the programme of activities for the Decade to the Commission on Human Rights at its fifty-sixth session under the agenda item entitled "Indigenous issues". The present report provides information made available since the submission of the report of the Secretary-General to the General Assembly (A/54/487 and Add.1).

Indigenous Fellowship Programme

5. The 1999 Indigenous Fellowship Programme was implemented by the Office of the High Commissioner for Human Rights in accordance with the adopted general programme outline and the specified thematic programme. The Programme lasted from 1 June to 30 November 1999. The four candidates were awarded a certificate for satisfactory completion of the Programme.

6. The Government of the Netherlands provided funds for a JPO (Junior Professional Officer) post for the Fellowship Programme. The person appointed took up her position as a full-time fellowship coordinator in January 1999.

Voluntary Fund for the International Decade of the World's Indigenous People

7. The Voluntary Fund for the International Decade of the World's Indigenous People was established by the General Assembly in its resolutions 48/163 of 21 December 1993, 49/214 of 23 December 1994 and resolution 50/157 of 21 December 1996 to provide financial assistance to indigenous projects and programmes during the Decade funded by means of voluntary contributions from Governments, non-governmental organizations and other private or public entities. In accordance with paragraph 23 of the annex to resolution 50/157, an advisory group was established, including indigenous people, to assist the Coordinator of the Fund. The current Advisory Group is composed of the members of the Board of Trustees of the Voluntary Fund for Indigenous Populations, who are all indigenous experts, the Chairperson-Rapporteur of the Working Group on Indigenous Populations, and another United Nations expert, specialized in project and programme management, appointed by the High Commissioner for Human Rights in her capacity as Coordinator of the Decade. The latest reports on the Fund are contained in documents A/54/487 (para. 16) and E/CN.4/1999/81 (paras. 10-21). Information on the Fund is also available on the OHCHR Web site (www.unhchr.ch) under "Fundraising/Funds". Additional information can be obtained from the Trust Funds Unit, Support Service Branch, OHCHR, Geneva 10, telephone: (4122) 917 9323 or 917 9266, fax: (4122) 917 9017.

8. An inter-sessional consultation to evaluate the 1999 OHCHR Indigenous Fellowship Programme and to select candidates for the 2000 Programme started in October 1999 with those members of the Advisory Group who were present in Geneva during the session of the working group on the draft "United Nations declaration on the rights of indigenous peoples". Other members were consulted via electronic mail. The deadline for completion of this consultation is 15 December 1999. Once the final recommendations are received from the Chairperson of the Advisory Group and approved by the High Commissioner for Human Rights on behalf of the Secretary-General, selected fellows will be informed accordingly. Following a recommendation of the Advisory Group at its fourth session in the light of the few new contributions received in 1999, it has been possible to finance the Indigenous Fellowship Programme from within the regular budget for OHCHR. The corresponding savings were used to provide project and programme grants to indigenous communities and organizations recommended by the Advisory Group at its fourth session and approved by the High Commissioner.

9. In accordance with the order of priorities recommended by the Advisory Group and given the amount of contributions available, the first 14 project grants on the first contingency list recommended by the Advisory Group at its fourth session and approved by the High Commissioner were paid (see E/CN.4/Sub.2/AC.4/1999/4, annex 2).

10. The following new contributions received are available for the fifth session of the Advisory Group in April 2000.[1]

Donors	Amount in US$	Paid on	Paid in	Voucher No.
Bolivia	1 000	20.10.1999	NY	BO45993
New Zealand	10 867	02.09.1999	GE	94000004442
Saudi Arabia	10 000	22.07.1999	GE	94000003915
Sweden	36 876	29.10.1999	GE	94000005226
Aboriginal and Torres Strait Islander Commission	6 530	09.07.1999	GE	94000003896
Total	65 273			

11. The following pledges were outstanding as at 23 November 1999:

Country	Amount in US$	Local Currency	Pledged on	Pledged in
Germany	26 881[a]	DM 50 000	28.10.1999	GE
Netherlands	105 263[a]	f 220 000	18.11.1999	GE
Tunisia	951	-	4-5.11.98	NY
Total	133 095			

[a] At the United Nations official exchange rate of November 1999.

12. The priority for indigenous projects and programmes continues, as approved in October 1999 in consultation with members of the Advisory Group and the OHCHR Indigenous Project Team. Other envisaged activities include the OHCHR indigenous fellowship programme for 2000, the second Workshop for Indigenous Journalists in Atlanta, subregional seminars in Africa on indigenous issues, as recommended by the Sub-Commission on the Promotion and

Protection of Human Rights in its resolution 1999/19 of 26 August 1999, a workshop on indigenous children to be held near the time the Working Group on Indigenous Populations meets in July 2000 and the elaboration of a database on indigenous people and activities.

13. The total cost of the above-mentioned activities amounts to about US$ 530,000 for the year 2000, whereas contributions available for the fifth session of the Board only amount to US$ 65,273 (as at 23 November 1999). The Commission on Human Rights, in paragraphs 7 and 16 of its resolution 1999/51, appealed to and encouraged all Governments, organizations and individuals in a position to do so to consider contributing to the Voluntary Funds. The Sub-Commission on the Promotion and Protection of Human Rights in its resolution 1999/19 of 26 August 1999 also urged Governments and intergovernmental and non-governmental organizations and individuals to contribute to the Voluntary Fund for the Decade established by the Secretary-General and invited indigenous organizations to do likewise. It is important for contributions to be received before the next session of the Advisory Group (April 2000) in order to enable the Fund, the Advisory Group and the Coordinator of the Decade to fulfil their mandate.

14. Voluntary contributions can be made by bank transfer to the "United Nations Geneva General Fund". In US dollars (US$): c/o Chase Manhattan Bank, NY A/C: 001-1-508629, UNOG General Fund, G/L: UN-0503456, US Banking Code: 021000021. In Swiss Francs (CHF): c/o UBS AG, P.O. Box 2770, CH 1211 Geneva 2, Acc. 240-CO-590-160.0, Swift address UBSWCHZH12A. Contributions can also be made by cheque, payable to the order of the "United Nations" and should be sent to the UN Cashier's Office, United Nations, New York, N.Y. 10017, United States of America, or to the Treasurer, United Nations Office in Geneva, Palais des Nations, CH-1211 Geneva 10, Switzerland. Reference should be made to the United Nations Voluntary Fund for the International Decade of the World's Indigenous People.

United Nations Voluntary Fund for Indigenous Populations

15. The United Nations Voluntary Fund for Indigenous Populations was established pursuant to General Assembly resolution 40/131 of 13 December 1985 to assist representatives of indigenous communities and organizations to participate in the deliberations of the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights by providing them with financial assistance funded by means of voluntary contributions from Governments, non-governmental organizations and other private or public entities. The Fund is administered in accordance with the financial Regulations and Rules of the United Nations by the Secretary-General assisted by a board of trustees, through OHCHR. The General Assembly broadened the mandate of the Fund in its resolution 50/156 of 21 December 1995 by deciding that the Fund should also be used to assist representatives of indigenous communities and organizations to participate in the deliberations of the open-ended inter-sessional working group of the Commission on Human Rights on the draft "United Nations declaration on the rights of indigenous peoples". The General Assembly further broadened the mandate in its resolution 53/130 of 9 December 1998 by deciding that the Fund should also be used to assist representatives of indigenous communities and organizations to participate in the deliberations of the open-ended inter-sessional ad hoc working group of the Commission on Human Rights established to elaborate and consider further proposals for the possible establishment of a permanent forum for indigenous people within the United Nations system.

16. The mandate of the Board of Trustees is to advise the Secretary-General on the administration of the Fund, through OHCHR. The five current Board members are themselves indigenous persons: Mr. Michael Dodson (Australia), Ms. Naomi N. Kipuri (Kenya), Mr. Jose Carlos Morales (Costa Rica), Ms Tove S. Petersen (Greenland/Denmark) and Ms. Victoria Tauli-Corpuz (Philippines), who is the Chairperson of the Board.

17. As recommended at its twelfth session in April 1999 (see E/CN.4/Sub.2/AC.4/1999/6, para. 13 (c)), during inter-sessional consultations in October 1999 the Board of Trustees considered applications for travel grants from representatives of indigenous communities and organizations to enable them to participate in the second session of the open-ended inter-sessional ad hoc working group of the Commission on Human Rights on a permanent forum. All the Board's recommendations were approved by the High Commissioner for Human Rights on behalf of the Secretary-General on 5 November 1999.

18. The Board recommended the allocation of 34 travel grants for a total amount of US$ 149,380, including travel expenses and per diem, for indigenous representatives to attend the eight-day session of the working group.

19. New contributions to the Fund are required by March 2000 in order to meet the new requests for funding already received and in order to be duly recorded and available for recommendation at the thirteenth session of the Board of Trustees scheduled to be held in April 2000.

20. As of 25 November 1999, pledges for the Voluntary Fund had been received from Bolivia (US$ 1,000) and Chile (US$ 5,000) and contributions registered from the following donors:[2]

Donors	Amount (US$)	Paid on	Voucher No.
Canada	10 194	29.06.1999	94000003545
Denmark	40 000	24.06.1999	94000003487
Greece	6 300	15.04.1999	94000002279
Aboriginal and Torres Strait Islander Commission	13 060	20.07.1999	9400003896
Shimin Gaiku Centre	1 500	14.04.1999	94000002269
Total:	71 054		

21. As the total amount of contributions received was insufficient to cover the programme, the Chairperson of the Board of Trustees, Ms. Tauli-Corpuz, addressed the Commission on Human Rights on 19 April 1999 and appealed to donors to contribute regularly to the Fund. In her statement, she mentioned that the Fund would need an additional amount of at least US$ 500,000 to meet the increasing requests from indigenous populations. The amount requested would allow the Board of Trustees to make recommendations on travel grants for representatives to attend the Sub-Commission's Working Group on Indigenous Populations in July 2000 and the Commission's working group on the draft declaration in October 2000.

22. In view of the increasing demand for financial assistance and of the new mandate established by the General Assembly in its resolution 53/130, the General Assembly requested

the Secretary-General to bring that resolution to the attention of Member States and to invite them to consider contributing to the United Nations Voluntary Fund for Indigenous Populations. In its resolution 53/129, the General Assembly encouraged Governments to support the Decade by contributing to both Voluntary Funds. The Commission on Human Rights in paragraphs 7 and 16 of its resolution 1999/51, appealed and encouraged all Governments, organizations and individuals in a position to do so to consider contributing to the Voluntary Funds. The Sub-Commission on the Promotion and the Protection of Human Rights also recommended in its resolution 1999/19 of 26 August 1999 that the Coordinator for the Decade encourage financial contributions to the United Nations Voluntary Fund for the Decade. The Coordinator of the Decade sent out a letter on 1 October 1999 appealing for new contributions.

23. New contributions can be paid by transfer to the "United Nations Geneva General Fund"- in US dollars (US$): c/o Chase Manhattan Bank, N.Y. A/C. 001-1-508629, UNOG General Fund, G/L. UN-0503456, US Banking Code. 021000021-in Swiss francs (CHF): c/o UBS AG, P.O. Box 2770, CH-1211 Geneva 2, Acc. 240-CO-590-160.0, Swift address. UBSWCHZH12A. Contributions can also be made by cheque to the order of the "United Nations" and sent to the Cashier's Office, United Nations, New York, N.Y. 10017, United States of America, or to the Treasurer, United Nations Office in Geneva, Palais des Nations, CH-1211 Geneva 10, Switzerland.

24. For further information about contributions to the Fund, please contact the Fund's secretariat, c/o OHCHR, SSB, Trust Funds Unit, United Nations, CH-1211 Geneva 10, Switzerland, telephone: (4122) 917 9164, 917 9315 or 917 9266, fax: (4122) 917 9017.

Draft United Nations declaration on the rights of indigenous people

25. The fifth session of the working group of the Commission on Human Rights on the draft "United Nations declaration on the rights of indigenous peoples" was held in Geneva from 18 to 29 October 1999. The report of the working group is contained in document E/CN.4/2000/84.

Open-ended ad hoc inter-sessional working group of the Commission on Human Rights on the establishment of a permanent forum for indigenous people within the United Nations system

26. In its resolution 1998/20, the Commission on Human Rights decided to establish an open-ended inter-sessional ad hoc working group, from within existing overall resources, to elaborate and consider further proposals for the possible establishment of a permanent forum for indigenous people within the United Nations system. It also decided that participation in the working group would be in accordance with the same procedures as agreed on for the working group on the draft declaration.

27. The working group met from 15 to 19 February 1999 at the United Nations Office in Geneva and its report (E/CN.4/1999/83) was submitted to the Commission on Human Rights at its fifty-fifth session. The Commission, in its resolution 1999/52, welcomed the report and decided to re-establish the working group to meet for eight working days prior to its fifty-sixth

session and requested the working group to submit, with a view to completing its task, one or more concrete proposals on the establishment of a permanent forum for consideration by the Commission at its fifty-sixth session.

28. The working group will meet from 14 to 23 February 2000 at the United Nations Office in Geneva. Its report will be available in document E/CN.4/2000/86.

Information received from Governments

29. On 5 August 1999, the Secretary General requested information from Governments regarding the implementation of the programme of activities for the International Decade of the World's Indigenous People that might be included in the mid-point review as requested by the Commission on Human Rights in its resolution 1999/51. As of 26 November 1999, OHCHR had received replies from the Governments of Canada, New Zealand and the Russian Federation. The information provided in those replies is summarized below.

Canada

30. The Government of Canada has participated in the discussions on the draft "United Nations declaration on the rights of indigenous peoples" and included in its delegations Aboriginal representatives. A plain-language version of the draft declaration has been produced in English, French, Inuktitut and Oji-Cree. Canada also participates in the Working Group on Indigenous Populations, providing information on its special issues, such as indigenous health, education, and lands and resources. In July 1999, the Government informed the Working Group about the new territory of Nunavut, which covers one fifth of the Canadian land mass. Canada also hosted the United Nations expert seminar on land rights and claims, which was held in Whitehorse in March 1996 and chaired by an indigenous leader from Canada. Canada has contributed to the Voluntary Fund for the International Decade. In addition, it has supported the participation of indigenous representatives at international conferences such as the World Food Summit.

31. Other international activities of the Government of Canada in the context of the Decade include the establishment of the Canada/New Zealand Development Exchange, which organized the "Healing our spirits conference on indigenous health", a Canada/Mexico Aboriginal economic round table, in November 1996 to discuss business cooperation between the indigenous peoples of the two countries and an initiative, in cooperation with the Pan American Health Organization and the Government of Peru, to develop a solvent abuse treatment programme. In January 1998, Canada launched "Gathering strength. Canada's Aboriginal Action Plan", a comprehensive partnership programme between the Government and Aboriginal peoples. Canada has also celebrated the International Day of the World's Indigenous People on 9 August, focusing each year on different themes and countries. The National Aboriginal Achievement Awards, which started in the International Year of the World's Indigenous People (1993) and honours Aboriginal men and women, has received funding for the Decade period.

New Zealand

32. The Government of New Zealand states that the Ministry of Maori Affairs has led responsibility for the implementation of the country's domestic programme of action for the Decade. At the commencement of the Decade a National Partnership Committee was established, comprising several Maori organizations and the Ministry of Maori Development. A Decade fund has been created which has disbursed grants amounting to 1.5 million New Zealand dollars. In the first part of the Decade, the focus of activities was on He Taonga Te Reo Maori ("the Maori language is a treasure") and in the second part it will focus on He Taonga Tuku Iho na Nga Tipuna ("the treasures handed down by the ancestors").

33. The Government of New Zealand has supported the translation into Maori and distribution of international instruments on human rights. Under the Decade fund, a national survey of the Maori language and 190 community-based language programmes have been assisted. The Ministry of Maori Affairs is undertaking work on ways of protecting the intellectual property rights of indigenous peoples. In November 1998, the Sixth International Congress of Ethnobiologists and the second Mataatua Declaration Conference were held in New Zealand. The country also hosted the fifth World Indigenous Youth Conference in 1998. In August of the same year, the Decade fund supported a Pacific regional seminar on "Collective human rights of Pacific peoples". The Government has contributed a total of 130,000 New Zealand dollars to the United Nations Voluntary Fund for the International Decade.

34. The Government of New Zealand suggests that there should be a greater degree of information-sharing between States, non-governmental organizations and United Nations bodies about their activities. It stresses the potential importance of the permanent forum in addressing the need for more coordination within the United Nations system on indigenous issues. It recommends that the media used and publicity given to improve the profile of the Decade at the international level, especially through indigenous media and journalists. The Government also suggests that adequate funding and administrative support be made available to enable the High Commissioner to carry out her mandate as coordinator of the Decade.

Russian Federation

35. The Government of the Russian Federation provided information about its domestic plan of action for the International Decade. The Government passed legislation in April 1999 guaranteeing rights to indigenous peoples and further Acts are being elaborated on the basis of these fundamental rights on questions such as reindeer-herding and traditional land use. In September 1996, the Government adopted a programme on economic and social development of indigenous peoples to the year 2000. Part of that programme focuses on employment and the re-establishment of traditional economic systems. Indigenous self-management is being promoted through the federal Law on General Principles of Local Self-management in the Russian Federation and an international round table was organized to examine experiences of the Sami Parliaments in the Nordic countries. In the cultural field, the Government has held a seminar on the preservation of traditional cultures and on indigenous writers and art. A presidential programme, entitled "Northern children", has been launched which supports indigenous schools and ethno-cultural centres.

Information from indigenous and non-governmental organizations

36. In response to the request by the Office of the High Commissioner for information regarding implementation of the Programme of Action for the Decade, one organization provided information.

37. The Unidad de Capacitación e Investigación Educativa para la Participación is a non-governmental organization working with indigenous communities in Oaxaca, Mexico. It received a project grant from the United Nations Voluntary Fund for the Decade in 1995. During the first five years of the Decade it has undertaken a study on indigenous children in the state of Oaxaca and trained indigenous resource persons in human, children's and women's rights. It has translated documents on children's rights into the Zapoteca and Otomi languages and disseminated them through libraries and radio programmes. It is currently supporting the construction of seven community centres for indigenous peoples.

Notes

[1] According to information available at OHCHR as at 23 November 1999.

[2] According to information available at OHCHR.